

Application Serial No. 10/791,165
Amendment dated October 25, 2007
Reply to Final Office Action dated May 25, 2007

REMARKS/ARGUMENTS

Independent Claim 44 has been amended to define the thickness of the metal base plate as being "stampable". It is submitted that this is a structural limitation and that it defines the thickness dimension of the plate that would be clearly understood by one skilled in the art of metal stamping. Defining the thickness in this manner does not make the claim a product-by-process claim. For example, a metal arm in a mechanical structure could be defined as being "bendable" without making such a claim a product-by-process claim. Similarly, a "rotatable arm" within a mechanical structure does not render that claim product-by-process.

The metal base plate in Flickinger is not described as a base plate having a stampable thickness and the claim is therefore not anticipated by Flickinger.

The advantage of the claimed invention is that it can be formed with a low material content at a low manufacturing cost. It is clear that this is not present in Flickinger wherein plate 8 is obviously quite thick and therefore not capable of being stamped. In other words, the plate 8 is not "stampable" as called for in Claim 44.

Enclosed herewith is a copy of Published United States Patent Application No. 2004/0079545 relating to a prior art electrical feed-through device. The circular metal disk is produced by cold forming or metal injection molding rather than stamping and it is disclosed in paragraph [0042] that the thickness of the metal disk is about 2.5 cm. A plate of 2.5 cm is not stampable as presently claimed in the present application. The thickness of a metal plate that can be punched out in a single stamping step, and is therefore stampable, is at most about 1 cm in thickness, which is more than two times thinner than the non-stampable plate of US 2004/0079545.

In view of the above, it is submitted that the claims are not anticipated by Flickinger or rendered obvious by Flickinger combined with Junji.

It is believed that the application is now in condition for allowance.

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In the event Applicants have overlooked the need for an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby petition therefor and authorize that any charges be made to Deposit Account No. 02-0385, Baker & Daniels.

Respectfully submitted,

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CERTIFICATION OF MAILING

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on: October 25, 2007

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Name of Registered Representative

Signature

October 25, 2007

Date